

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter:)
Digital Audio Broadcasting Systems)
NRSC-5 Proposed Standard for IBOC)

MM DOCKET NO. 99-325
REPLY BY Leonard R. Kahn

REPLY TO iBiquity EX PARTE NOTIFICATION OF JULY 19, 2005

Introduction and Background

Lawyers representing the iBiquity Digital Corporation ("iBiquity"), met with Chairman Martin and other senior officials of the Commission to urge the FCC to *"authorize AM nighttime service."*

Since the undersigned has opposed this system for a number of years, and is now a proponent for a system he understands is the sole alternative IBOC system, the Cam-D™ System, he believes that the Commission may find this Reply useful and somewhat surprising.¹

Conversely, to the encouraging reports of on-the-air Cam-D operation now in this Record, the undersigned has provided the Commission with, what he believes is proof that the iBiquity IBOC System violates FCC occupied spectrum rules by over 60 db and that the system's interference is spread over 7 channels, 140 kHz bandwidth.

¹ It is believed that the Cam-D™ System, developed by Kahn Communications Inc., ("KCI"), is the first and only on-the-air IBOC System that is in full compliance with FCC Regulations. The System first went on-the-air over 8 months. All of the Cam-D stations have operated full time, NIGHT and day, (24/7), since the stations independently determined that they fully complied with FCC Rules and Regulations. A number of these stations have filed Comments in these proceedings describing their operation. They also published additional details on KCI's website *wrathofkahn.org.*, including Cam-D's doubling of coverage, reduced fading, reduced static and substantially reduced FIRST order adjacent channel and all other orders of interference.

The undersigned has also provided an opinion that the iBiquity IBOC system requires phase and time correlation over its extremely wideband bandwidth.

Thus, the iBiquity System, even if it fully complied with NRSC-5, can NEVER provide useful skywave operation. And this skywave limitation will apply to the system even if the FCC took the radical step of authorizing "all digital" operation, in effect confiscating the Public's TRILLION dollar investment in AM radio receivers.

The Commission has also received engineering analysis, using widely different procedures, from a number of independent prestigious engineers, both domestic and foreign, all reaching the same conclusion; the iBiquity System clearly violates FCC Rules and causes severe destructive interference. And, most importantly, the FCC has now received a number of reports from Engineers and Station Owners reporting that the theoretical determined interference is REAL and is being suffered wherever the iBiquity IBOC system is on-the-air.

However, on-the-other-hand, it is hard to believe that Bell Labs engineers, and certain engineers at Clear Channel, Viacom and ABC, who the undersigned has had long term close professional relationships with, assuming these highly skilled individuals were not coerced, would have advised their management to go forward with nighttime operation, knowing the System would fail.

Thus, I must concede that it is possible I do not understand the true IBOC situation and I must further concede that there is some possibility that iBiquity-IBOC will not destroy nighttime AM service.

CONCLUSION AND CAVEATS

Accordingly, the undersigned supports the request of the iBiquity Digital Corporation that licensees using its IBOC system be authorized nighttime operation. Indeed, if as claimed by iBiquity, its system fully complies with FCC Rules and Regulations, it is hard to understand why it requires FCC Approval for nighttime operation.

However, as one who believes that he is a responsible Professional Engineer and a loyal American citizen he must offer the following caveats:

1. That such tests start on a Monday or Tuesday of a week that does not have a national holiday, or a week when there is a forecast of severe storms. This will avoid loss of vital emergency AM radio services, if iBiquity expectations for its system are not realistic.
2. That only stations that have substantial financial resources be allowed to engage in the tests, so that stations that suffer damage from the prophesied interference can be fully compensated.

Respectfully submitted,



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